UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,512	12/05/2001	Alp Burak	TRCHP0114US	2295

				EXAMINER
43076	7590	01/19/2005		BLAIR, DOUGLAS B

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2142	

DATE MAILED: 01/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _05 December 2001_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-21_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-21_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

    1.☒ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2.   Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3.   Regarding claim 18, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 1-2, 5, 7-16 and 18-21 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,408,282 to Buist.

6.   As to claims 1 and 11, Buist teaches a computer software charting module for installation on a user's computer and method for enabling a user to view real-time financial charting information on-line, the module enabling the user's computer to: receive real-time financial data as substantially continuous stream through an open

connection via a computer network (col. 36, lines 34-44); generate a graph of said real-time financial data (col. 15, line 27-col. 16, line 11); update said graph based on new real-time financial data transmitted via the computer network (col. 15, line 27-col. 16, line 11); and display said graph on the user's computer screen whereby, in use, the user is able to readily observe changes in said real-time financial data substantially as they occur in a dynamic charting format (col. 15, line 27-col. 16, line 11).

7.   As to claim 2, Buist teaches a method of providing a user with real-time financial charting information on-line as defined in claim 1, wherein said real-time financial data is transmitted via the world wide web using HTTP protocol (col. 36, lines 34-44).

8.   As to claims 5 and 12, Buist teaches a computer software charting module wherein the module enables the user's computer to: receive historical financial data; and generate said graph using said historical financial data as well as said real-time financial data (col. 15, line 27-col. 16, line 11).

9.   As to claim 7, Buist teaches a method comprising the step of installing a computer software charting module on the user's computer for generating a graph (col. 15, line 27-col. 16, line 11).

10.   As to claim 8, Buist teaches the charting module activated by a browser (col. 36, lines 34-44).

11.   As to claim 9, Buist teaches the use of a Java applet (col. 36, lines 34-44).

12.   As to claim 10, Buist teaches the use of a Stock Exchange with real-time values (col. 15, line 27-col. 16, line 11).

13.   As to claim 13, Buist teaches a computer software charting module as defined in claim 12, wherein the module further enables the user's computer to store said historical data and real-time financial data locally (col. 15, line 27-col. 16, line 11).

14.   As to claim 14, Buist teaches a computer software charting module as defined in claim 11, wherein the charting module enables the user's computer to re-scale the axes of the graph in order to ensure that the maximum and minimum values are visible when the graph is displayed on the user' computer screen (col. 15, line 27-col. 16, line 11).

15.   As to claim 15, Buist teaches a computer software charting module as defined in claim 14, wherein the x-axis of the graph represents time, and the y-axis represents real-time stock market pricing information relating to specified stock obtained from the Stock Exchange or other source whereby, in use, said graph provides real-time intra-day charting of movements in stock price (col. 15, line 27-col. 16, line 11).

16.   As to claim 16, Buist teaches a computer software-charting module as defined in claim 15, wherein the module re-scales the x-axis according to the time of day such that the graph extends to the full extent of the graph area (col. 15, line 27-col. 16, line 11).

17.   As to claim 18, Buist teaches a computer software-charting module as defined in claim 15, wherein the module calculates and plots graphs (col. 15, line 27-col. 16, line 11).

18.   As to claim 19, Buist teaches a computer a computer software charting module as defined in claim 15, wherein the module provides dynamic visual cues while the graph is being generated to notify the user of specific events and important information (col. 15, line 27-col. 16, line 11).

19.   As to claim 20, Buist teaches a computer a computer software charting module as

defined in claim 15, wherein the module enables highlighting points based on the position

of the user's cursor (col. 15, line 27-col. 16, line 11).

20.   As to claim 21, Buist teaches a computer-readable storage medium having a

computer software charting module as defined in claim 11 (col. 15, line 27-col. 16, line

11).

Claim Rejections - 35 USC § 103

21.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

22.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent

Number 6,408,282 to Buist in view of RFC 2068, HTTP v1.1.

23.   As to claim 3, Buist teaches the method of claim 2, however; Buist does not teach

streaming by not specifying a content-length header in the HTTP response packet.

        HTTP v1.1 teaches streaming by not specifying a content-length header in the

HTTP response packet (pages 23-24 and 31-32, see chunked transfers).

        It would have been obvious to one of ordinary skill in the Computer Networking

art at the time of the invention to combine the teachings of Buist regarding the display of

financial data with the teachings of HTTP v1.1 regarding streaming by not specifying a

content-length header in the HTTP response packet because Buist uses HTTP (Buist, col.

36, lines 34-44).

24.   Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent

Number 6,408,282 to Buist in view of U.S. Patent Number 6,260,083 to Moore et al..

25.   As to claim 4, Buist teaches the method of claim 2, however; Buist does not teach

streaming by specifying a large content-length header in the HTTP response packet.

Moore teaches streaming by specifying a large content-length header in the HTTP

response packet (col. 5, lines 43-62).

It would have been obvious to one of ordinary skill in the Computer Networking

art at the time of the invention to combine the teachings of Buist regarding the display of

financial data with the teachings of Moore regarding streaming by specifying a large

content-length header in the HTTP response packet because establishing new connections

is inefficient (Moore, col. 2, lines 42-65).

26.   Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent

Number 6,408,282 to Buist in view of U.S. Patent Number 6,345,307 to Booth.

27.   As to claim 6, Buist teaches the method of claim 5, however; Buist does not teach

compressing the data.

Booth teaches compressing data (col. 10, lines 4-19).

It would have been obvious to one of ordinary skill in the Computer Networking

art at the time of the invention to combine the teachings of Buist regarding the display of

financial data with the teachings of Booth regarding compression because compression

reduces bandwidth use.

28.   Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent Number 6,408,282 to Buist in view of U.S. Patent Number 5,339,392 to Risberg

29.   As to claim 17, Buist teaches the method of claim 13; however Buist does not

explicitly teach zooming with a rectangle.

Risberg teaches zooming with a rectangle (col. 15, lines 29-43).

It would have been obvious to one of ordinary skill in the Computer Networking

art at the time of the invention to combine the teachings of Buist regarding the display of

financial data with the teachings of Risberg regarding zooming with a rectangle because a

rectangle is a convenient way to zoom in on things.

Conclusion

30.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Douglas B Blair whose telephone number is 571-272-

3893. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jack Harvey can be reached on 571-272-3896. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

JACK D. HARVEY
SUPERVISORY PATENT EXAMINER

Douglas Blair